

A Meeting of the Mayor and Council of the Borough of Leonia, Bergen County, New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:30pm

Council Present: Mayor Laurence Cherchi, Councilwoman Dwarica,
Councilwoman Heveran , Councilwoman Mitrani, Councilman
Puzzo, Council President Ryan,

Regular Meeting Minutes – July 18, 2005 – Councilman Ryan, made a motion to approve the minutes of July 18, 2005, seconded by Councilwoman Dwarica. Councilwoman Heveran - Line 143 should say “Councilwoman Heveran would like assurance” the Borough Administrator made a correction that should say “Chief Ziegler was in attendance and that he and the Borough Administrator had already met and Chief Ziegler gave his assurance to Councilwoman Heveran that all the procedures were in place.” Roll Call Vote: Councilpersons Dwarica, Heveran, Mitrani, Puzzo, Ryan voted yes. Minutes Approved. Councilman LaBianco was absent.

COMMENTS FROM PUBLIC (2 minutes per speaker)

Mr. Monaco -352 Highwood Avenue – Mr. Monaco apologized for comments that were made two weeks ago. Mr. Monaco expressed his feelings regarding the inspections that were done, based on a list provided by the Leonia Taxpayers Association. Mr. Monaco submitted a report regarding inspections he made.

Mr. Cid Wilson – 250 Broad Avenue, Apartment 1G- Mr. Wilson handed out flyers to the Governing Body regarding National Night Out. Mr. Wilson explained the program and inquired as to why Leonia did not participate. Mayor Cherchi said he would pass the information to Chief Ziegler.

RESOLUTIONS

Councilman Puzzo made a motion to approve Resolution 05-185 through 05-191, 05194 through 05-198 seconded by Councilwoman Dwarica.

ROLL CALL Councilperson Dwarica, Heveran, Mitrani, Ryan, Puzzo, voted yes. Resolutions approved. Councilman LaBianco absent.

Resolution 05-193 - Mayor Cherchi would like to use this Resolution as some leverage to get work done in the Leonia portion of Overpeck Park. Mayor Cherchi asked the Borough of Attorney if this was doable. Councilwoman Heveran would like Mr. Hawkins to review the plans. This item will be placed on the next agenda.

INTRODUCTION OF ORDINANCE

Introduction of Ordinance entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 140 OF THE CODE OF THE BOROUGH OF LEONIA, ENTITLED “FLOOD DAMAGE PREVENTION”

**The Borough Clerk read the Ordinance by Title
Mayor Cherchi explained the need for the Ordinance**

Councilwoman Dwarica made a motion to adopt on first reading Ordinance 13-05, seconded by Councilman Puzzo. Roll call vote; Councilpersons Dwarica, Heveran,

Mitrani, Puzzo and Ryan voted yes. Ordinance 13-05 introduced. Councilman LaBianco was absent.

UNFINISHED BUSINESS

Taxpayers Association Letter - Mayor Cherchi suggested that on the sidewalk issue the Borough Administrator please come up a systematic plan for enforcing the ordinance. Whether it is dividing the town in sections or have Broad Avenue, Fort Lee Road and Grand Avenue reviewed first, as they are the roads most traversed. The Governing Body should also review the sidewalk ordinance to make sure that it is clear. Mayor Cherchi read a portion of the Borough Code under Property Maintenance regarding maintenance of sidewalks. Members of the Council held a discussion regarding the ordinance. Councilwoman Dwarica brought up the subject of trees lifting sidewalks. Councilwoman Heveran asked what the Shade Tree Ordinance says about sidewalks. The Governing Body feels the Shade Tree Commission should be more proactive; perhaps they could come to a meeting. Councilman Puzzo asked if the Property Maintenance Officer, who attended the meeting, if he had any comments about the sidewalk ordinance. Mr. Peters stated that there are many contradictions between the sidewalk ordinance and shade tree ordinance. Mr. Peters explained the procedure of sidewalk repair if a Borough shade tree is involved. Mayor Cherchi would like the Governing Body to work on both ordinances.

Speed Humps Spring Street – Mayor Cherchi reported he has requested a resident on Spring Street to obtain a petition from the residents of Spring Street regarding the speed humps. This will give the Governing Body a consensus of the feelings of the residents. Councilwoman Heveran would like to have the police department look at possibly reducing the speed on the street, also more enforcement. The Borough Administrator will contact Chief Ziegler regarding this issue.

NEW BUSINESS

Increased Fine for Demolishing a Structure without a Demolition Permit- Councilman Puzzo brought up the situation on 161 Leonia Avenue. Councilman Puzzo would like the Borough Attorney review what can be done when someone puts neighbors in jeopardy. What options does the Borough have when someone demolishes a house without permits? Councilman Puzzo would like to know what actions could be taken to deter someone else from doing the same thing. Councilman Puzzo realizes that fines were issued to the contractor who did the demolition and to the subcontractor. Borough Attorney Russo reported that the Construction Official could make their life difficult by pulling permits. Councilman Puzzo asked what could be done about the damage to the street, the curbs and sidewalks. Borough Attorney Russo said Performance Bonds could be posted to insure the repairs. A discussion was held about increasing the fines for demolition. Mayor Cherchi reported on a discussion held with the Construction Official regarding the fines.

138 **CORRESPONDENCE**

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140 Sam Yanovich - Councilwoman Heveran clarified a memo she received regarding a
141 resident. She told the resident the incident would be looked into. She did not promise the
142 resident that she would get back to her.

143
144 **COMMENTS FROM THE PUBLIC**

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146 Martin Monaco 352 Highwood Avenue – Thought he provided an in depth report to the
147 town. There a nine questions he hopes the Council will review the questions and get
148 back to him. The issue regarding sidewalks needs to be addressed equitably.

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150 Mayor Cherchi asked the Council to table the Resolution appointing Municipal Court
151 Judge – Councilwoman Dwarica made a motion, seconded by Councilman Ryan to table
152 the resolution. Roll call vote Councilpersons Dwarica, Mitrani and Ryan voted yes.
153 Councilpersons Heveran and Puzzo voted no. Councilman LaBianco was absent.
154 Resolution tabled.

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156 **CLOSED SESSION**

157 A motion was made by Councilman Puzzo to go into closed Session for Personnel,
158 Litigation, Resolution 05-193, Mitzner & Mitzner bill, Leonia Avenue, Onimpont,
159 Meadowview Condominiums, seconded by Councilwoman Heveran. All in favor, none
160 opposed.

161
162 **RESOLUTIONS**

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164 Resolution 05-199- Councilwoman Dwarica made a motion to adopt Resolution 05-199
165 seconded by Councilwoman Mitrani. On Discussion Councilwoman Dwarica amended
166 her original motion to include \$2,000 for expungement of Mayor Cherchi's record.
167 Borough Attorney Russo reminded the Council that Mr. Mitzner was unsure of when the
168 expungement could take place, as there was still a civil suit in progress. The Borough
169 Administrator reminded the Governing Body that you could not put money into the
170 budget one year for the next year. Councilwoman Dwarica withdrew her motion. Roll
171 call vote on Resolution 05-199 Councilpersons Dwarica, Mitrani and Ryan voted yes.
172 Councilpersons Heveran and Puzzo voted no. Councilman LaBianco was absent.
173 Resolution 05-199 approved.

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175 There being no further business a motion was made to adjourn the meeting at 9:45pm by
176 Councilperson Heveran seconded by Councilperson Dwarica. All in favor none opposed
177 meeting adjourned.

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179 Respectfully submitted,

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181
182 Fran Lehmann
183 Borough Clerk